

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

IN RE PORK ANTITRUST LITIGATION

Case No. 0:18-cv-01776-JRT-JFD

This Document Relates To:

ALL ACTIONS BROUGHT BY DIRECT
ACTION PLAINTIFFS

JOINT STIPULATION (1) GOVERNING THE PROCESS BY WHICH ANY FUTURE MDL
DAP SHALL JOIN THE CONSOLIDATED COMPLAINT AND (2) GOVERNING THE
PROCESS BY WHICH DEFENDANTS SHALL ANSWER OR OTHERWISE RESPOND TO
COMPLAINTS FILED BY ANY FUTURE MDL DAPS (OR BY WHICH THEIR PRIOR
ANSWER TO THE CONSOLIDATED COMPLAINT SHALL APPLY TO COMPLAINTS
FILED BY ANY FUTURE MDL DAPS)

The Court's Order at ECF 1571 provides that, by December 12, 2022, the Parties shall file a proposed order (1) governing the process by which any future MDL DAP shall join the Consolidated Complaint, including a proposed short-form complaint if appropriate, and (2) governing the process by which Defendants shall answer or otherwise respond to the complaints filed by any future MDL DAPs (or by which their prior answer to the consolidated complaint shall apply to future DAPs' complaints).

Accordingly, the Parties stipulate to the following procedure that the Court may so order if acceptable to the Court:

1. Any future MDL DAP shall join the Consolidated Complaint by filing a Notice of Joinder in the Consolidated Complaint (Notice) within 14 days of being transferred to the

MDL Court or if filed initially in the District of Minnesota the Notice shall be the case initiating pleading.

2. The Notice of Joinder shall indicate:

- a. All MDL DAPs joining in the Notice;
- b. Any assignments on which the respective MDL DAP(s)' claims are based in whole or in part;
- c. The defendants against which the future MDL DAP(s) is/are asserting its claim or claims and the claim or claims in the Consolidated Complaint that the future MDL DAP is joining;
- d. All alleged non-Defendant co-conspirators; and
- e. The definition of "Pork" adopted by the MDL DAP(s).

Defendants' Answers and affirmative defenses to the Consolidated Complaint and any order(s) from the Court on any dispositive motion relating to claims of all DAPs covered in the Consolidated Complaint, shall apply to such future MDL DAPs that join the Consolidated Complaint. However, if a Defendant maintains that one or more affirmative defenses uniquely applies to a future MDL DAP, the Defendant shall file a short form Answer identifying such affirmative defenses within 30 days of the Notice.

Dated: December 12, 2022.

Respectfully submitted,

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